

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

MICHAEL MIATA,	)	
	)	Civil Action
Plaintiff,	)	No. 1:19-cv-04918-CAP
v.	)	
	)	
BOTTOMS UP RESTAURANT	)	JURY TRIAL DEMANDED
GROUP, LLC d/b/a WRAITH,	)	
	)	
Defendant.	)	
	)	

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**PLAINTIFF’S MOTION FOR ENTRY OF DEFAULT**

COMES NOW, Plaintiff Michael Miata (“Plaintiff”), by and through undersigned counsel, and hereby moves the Court – pursuant to Fed. R. Civ. P. 55(a) and LR 83.1E(2)(b)(I) & 83.1E(4), ND Ga. – to enter Default against Defendant Bottoms Up Restaurant Group, LLC d/b/a Wraith. (“Defendant”)

1. Plaintiff filed his Complaint for Damages against Bottoms Up Restaurant Group, LLC d/b/a Wraith on October 31, 2019. [Doc. 1]
2. Defendant Bottoms Up Restaurant Group, LLC was served by and through its registered agent on November 7, 2019. [Doc. 3]

3. Defendant Bottoms Up Restaurant Group, LLC's Answer, motion or other response to the Complaint was due on or before November 21, 2019. To date, Defendant has not filed a responsive pleading to Plaintiff's Complaint and is therefore in default.

WHEREFORE, Plaintiff respectfully moves this Court for an entry of Default against Defendant Bottoms Up Restaurant Group, LLC d/b/a Wraith.

Respectfully submitted this 2<sup>nd</sup> day of January 2020.

**BARRETT & FARAHANY**

/s/ V. Severin Roberts

V. Severin Roberts

Georgia Bar No. 940504

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**CERTIFICATE OF SERVICE**

I certify on this day I filed the foregoing Motion for Entry of Default with the Clerk of Court using the CM/ECF filing system which will send notification of such filing to all attorneys of record and sent a copy via U.S. Mail as follows:

Bottoms Up Restaurant Group, LLC d/b/a Wraith  
c/o Beth Whitaker, Registered Agent  
2233 Addison Park  
Riverdale, GA 30296

Respectfully submitted this 2<sup>nd</sup> day of January 2020.

**BARRETT & FARAHANY**

/s/ V. Severin Roberts

V. Severin Roberts

Georgia Bar No. 940504